



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/578,367	05/05/2006	Tsutomu Asawa	09812.0080	6870

22852 7590 08/05/2009
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

DUONG, HUNG V

ART UNIT	PAPER NUMBER
----------	--------------

2835

MAIL DATE	DELIVERY MODE
-----------	---------------

08/05/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/578,367	Applicant(s) ASAWA ET AL.	
	Examiner HUNG V. DUONG	Art Unit 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/5/06</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by (JP, 2002-182784).

Regarding claim 1, (JP, 2002-182784) disclose an information processing apparatus comprising: a display section 29 for displaying an image on a display screen 21; an apparatus main body 1 having a processing section for processing a predetermined process; a pair of hinges 13 for pivotally connecting the display section 29 with respect to the apparatus main body 1 so as to pivot between a close position to close the apparatus main body 1 and an open position to open the apparatus main body 1; and an operation section (group of switches 34a, b, c) and switches 34, 35 disposed between the pair of hinges 13, for being operated by a user.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over (JP, 2002-182784) in view of (JP, 2002-124226).

Regarding claims 2-4, (JP, 2002-182784) disclose all the subject matter of the claimed inventions except for a battery pack having a battery case and a battery cell housed in the battery case; and a battery attachment section provided between the pair of hinges, for attaching the battery pack, wherein the operation section is disposed on the battery attachment section wherein the operation section is positioned above the battery cell in the battery pack when the battery pack is attached to the battery attachment section wherein the battery attachment section houses a part of a battery accommodating section of the battery pack between the pair of hinges. However, it would have been obvious to one of ordinary skill in the art at the time the invention could have easily conceived of applying the means of "storing a pair of hinge section" described in JP, 2002-124226 to solve the common technical problem.

Regarding claim 5, it is merely a matter of design variation to dispose the dry-cell battery pack control circuit of (JP, 2002-124226) in a position in which a group of

Art Unit: 2835

switches of (JP, 2002-182784) are avoided in applying the above means to the invention of (JP, 2002-182784).

Regarding claims 6-7, it is merely a matter of design variation to store the dry-cell battery pack control circuit of (JP, 2002-124226) between the hinge devices of (JP, 2002-182784) in applying the above means to the invention of (JP, 2002-182784) and (JP, 2002-124226).

Regarding claim 8, (JP, 2002-182784) suggest that the system status of computer is displayed in a sub-display which exists in a direction in which a group of switches are disposed (para. 0020). Therefore, a person skilled in the art could have easily conceived of using a well-known power-supply lamp instead of using this display.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Asawa et al (US 20080291616) teach information processing apparatus.

Miyashita et al (US 20040164955) teach information processing apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Duong whose telephone number is (571) 272-2041. The examiner can normally be reached on M-F from 8:30 to 5:00PM.

Art Unit: 2835

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jayprakash N Gandhi can be reached on (571) 272-3740. The fax phone number for this Group is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (866) 217-9197.

/HUNG V. DUONG/

Primary Examiner, Art Unit 2835